

**ORDER NO. O-17-05**

**AN ORDER OF THE CITY OF MISSOURI CITY, TEXAS, RATIFYING DECLARATIONS OF A LOCAL STATE OF DISASTER; CONTINUING THE LOCAL STATE OF DISASTER; RATIFYING ANY ACTIONS TAKEN PURSUANT TO SUCH DISASTER DECLARATION; PROVIDING FOR PUBLICITY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

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WHEREAS, pursuant to Section 418.108, a declaration of local disaster issued by the presiding officer of a governing body may not be continued or renewed for a period of more than seven days except with the consent of the governing body of the political subdivision; and

WHEREAS, by proclamation issued on August 25, 2017, pursuant to Order No. O-17-01, the Mayor of the City of Missouri City (the "City") declared a local state of disaster for the City of Missouri City resulting from Hurricane Harvey; and

WHEREAS, pursuant to such proclamation, on August 28, 2017, the Mayor of the City of Missouri City issued Order No. O-17-02 ordering the commandeering of public and private resources during a disaster; and

WHEREAS, pursuant to Order No. O-17-01, on August 29, 2017, the Mayor of the City of Missouri City issued Order No. O-17-03 ordering the voluntary evacuation of certain portions of the City; and

WHEREAS, pursuant to Order No. O-17-01, on August 30, 2017, the Mayor of the City of Missouri City issued Order No. O-17-04 establishing a curfew from 10 p.m. to 6 a.m. within the City; and

WHEREAS, the City Council now desires to continue the state of disaster and to ratify the declarations of the state of disaster; and

WHEREAS, the City Council now desires to ratify the orders and actions taken related to such disaster declaration; now therefore,

**BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:**

Section 1. The local state of disaster for the City of Missouri City declared by the Mayor and any actions taken pursuant to Order No. O-17-01, adopted on August 25, 2017, including, but not limited to, Order Nos. O-17-02, adopted on August 28, 2017; O-17-03, adopted on August 29, 2017; and O-17-04, adopted on August 30, 2017, are hereby ratified.

Section 2. The implementation of the City's Emergency Management Plan is hereby ratified.

Section 3. The state of disaster is continued until terminated by order of the City Council of the City of Missouri City.

Section 4. This Order shall be filed with the City Secretary and shall receive widespread publicity unless publicity would be detrimental in addressing the local state of disaster and unless publicity is otherwise not feasible to the degree of unfeasibility only.


Section 5. Repeal. All orders or parts of orders in conflict herewith, if any, shall be and are hereby repealed only to the extent of such conflict.

Section 6. Severability. In the event any clause, phrase, provision, sentence or part of this Order or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Order as a whole or any part or provision hereof, other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. Declaration of Emergency. It is hereby officially found and determined that this Order relates to an immediate public emergency affecting life, health, property and the public peace, caused by Hurricane Harvey and that this Order be passed and approved on the date of its introduction.

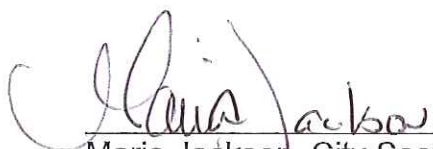
PASSED and APPROVED on first and final reading this 30th day of August, 2017.

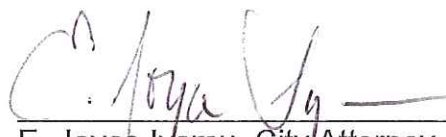
7:33pm

  
Allen Owen, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Maria Jackson, City Secretary

  
E. Joyce Iyamu, City Attorney